

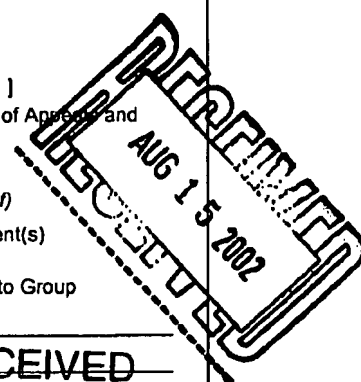
2673 #5 8-16-02 +

PTO/SB/21 (modified)  
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> (to be used for all correspondence during pendency of filed application)	Application Number	09/978,144	
	Filing Date	October 15, 2001	
	First Named Inventor	Scott A. Rosenberg	
	Group Art Unit Number	2673	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	6*	Attorney Docket Number	22407-05492

ENCLOSURES (check all that apply)	
<input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
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**REMARKS:** \* Does not include page count of references.



SIGNATURE OF ATTORNEY OR AGENT	
Signature:	
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Dated:	8/8/02

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Scott A. Rosenberg & Matthew H. Self  
APPLICATION NO.: 09/978,144  
FILING DATE: October 15, 2001  
TITLE: Method And System For Dynamic Ad Placement  
EXAMINER: Unassigned  
GROUP ART UNIT: 2673  
ATTY. DKT. NO.: 22407-05492

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AUG 14 2002

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Dated: 8/9/02

By: Sarah Glenn  
Sarah Glenn

COMMISSIONER FOR PATENTS  
WASHINGTON, DC. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;

- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this

certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. [APPLICATION NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
SCOTT A. ROSENBERG ET AL.

Dated: 8/8/02

By: [Signature]  
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 AUG 13 2002  
 PATENT

Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application No.	09/978,144
				Filing Date	October 15, 2001
				First Named Inventor	Scott A. Rosenberg
				Art Unit	2673
				Examiner Name	Unassigned
Sheet	1	of	2	Attorney Docket Number	22407-05492 <b>RECEIVED</b>

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U.S. PATENT DOCUMENTS					Technology Center 2600
Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
	A	US-6,360,053 B1	03-19-2002	Wood et al.	
	B	US-6,327,418 B1	12-04-2001	Barton	
	C	US-6,324,338 B1	11-27-2001	Wood, et al.	
	D	US-6,310,886 B1	10-30-2001	Barton	
	E	US-6,233,389 B1	05-15-2001	Barton et al.	
	F	US-6,215,526 B1	04-10-2001	Barton et al.	
	G	US-5,995,092	11-30-1999	Yuen et al.	
	H	US-5,886,731	03-23-1999	Ebisawa	
	I	US- 5,848,397	12-08-1998	Marsh et al.	
	J	US- 5,664,948	09-09-1997	Dimitriadis et al.	
	K	US-5,661,516	08-26-1997	Carles	
	L	US-5,652,615	07-29-1997	Bryant et al.	
	M	US-5,600,366	02-04-1997	Schulman	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	N	WO 01/89203 A2	11-22-2001	Tivo, Inc.	
	O	WO 01/76249 A1	10-11-2001	United Video Properties, Inc.	
	P	WO 01/65862 A2	09-07-2001	Tivo, Inc.	
	Q	WO 01/65762 A2	09-07-2001	Tivo, Inc.	
	R	WO 01/47279 A2	06-28-2001	Tivo, Inc.	
	S	WO 01/47249 A2	06-28-2001	Tivo, Inc.	
	T	WO 01/47238 A2	06-28-2001	Tivo, Inc.	

Examiner Signature		Date Considered	
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 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

22407/05492/DOCS/1288901.1

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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application No.	09/978,144
				Filing Date	October 15, 2001
				First Named Inventor	Scott A. Rosenberg
				Art Unit	2673
				Examiner Name	Unassigned
Sheet	2	of	2	Attorney Docket Number	22407-05492

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> - Number <sup>3</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	U	WO 01/46843 A2	06-28-2001	Tivo, Inc.	
	V	WO 01/22729 A1	03-29-2001	Tivo, Inc.	
	W	WO 01/06370 A1	01-25-2001	Tivo, Inc.	
	X	WO 00/67475 A1	11-09-2000	Tivo, Inc.	
	Y	WO 00/62533 A1	10-19-2000	Tivo, Inc.	
	Z	WO 00/62299 A1	10-19-2000	Tivo, Inc.	
	AA	WO 00/62298 A1	10-19-2000	Tivo, Inc.	
	BB	WO 00/59214 A1	10-05-2000	Tivo, Inc.	
	CC	WO 00/58967 A1	10-05-2000	Tivo, Inc.	
	DD	WO 00/58834 A1	10-05-2000	Tivo, Inc.	
	EE	WO 00/58833 A1	10-05-2000	Tivo, Inc.	
	FF	WO 00/56072 A1	09-21-00	Index Systems, Inc. et al.	
	GG	WO 00/44171 A1	07-27-2000	Tuneto.com, Inc.	
	HH	WO 00/28736 A1	05-18-2000	Tivo, Inc.	
	II	WO 00/18108 A2	03-30-2000	Tivo, Inc.	
	JJ	WO 00/18108 A3	03-30-2000	Tivo, Inc.	
	KK	WO 00/07368 A1	02-10-2000	Tivo, Inc.	
	LL	WO 99/52285 A1	10-14-1999	Discovery Communications, Inc.	
	MM	WO 99/52279 A1	10-14-1999	Tivo, Inc.	
	NN	WO 99/04561 A1	01-28-99	E-Guide, Inc. et al.	
	OO	EP 1 071 287 A2	01-24-2001	Lucent Technologies, Inc.	
	PP	EP 1 071 287 A3	03-28-2001	Lucent Technologies, Inc.	
	QQ	DE 199 39 410 A1	03-01-2001	Reger et al.	

Examiner Signature		Date Considered	
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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